Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Review of the	)	
Emergency Alert System	)	EB Docket No. 04-296
	)	

COMMENTS OF RADIOSHACK CORPORATION

Respectfully submitted

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SUMMARY

RadioShack Corporation submits these comments in response to the Commission's Notice of Proposed Rulemaking regarding the Emergency Alert System (EAS) and its current role and effectiveness as a warning mechanism. RadioShack is a manufacturer and nationwide retailer of consumer electronics products. RadioShack urges the Commission to consider EAS in conjunction with the currently existing NOAA Network and to take into account the impressive breadth, capabilities and track record of these two systems. RadioShack also urges the Commission and other federal and state officials to fully employ and promote use of these systems as the best means by which to protect the public today.

The NOAA Network originates over 80% of all warnings transmitted over the EAS and the two systems are already interoperable in their use of common warning codes. The NOAA Network is operated on dedicated government spectrum used to broadcast government disseminated warnings to the public using more than 900 transmitters located throughout the United States. This NOAA Network has the current capability to reach 97 % of the American population.

While the public receives EAS alerts via broadcast reception or cable television the same NOAA-originated alerts are available on a variety of consumer electronics products that receive the NOAA signal. Many of these products are active alert devices that function like a smoke detector by automatically turning on when receiving certain signals. To further improve the quality and functionality of these products, the Consumer Electronics Association recently created a certification and standard-setting program, under the name Public Alert. RadioShack strongly supports the redundancy created by the breadth of products available to the public for receipt of public warning alerts.

RadioShack responds to the Commission's request for information regarding the penetration of EAS and other current warning systems by providing numerous examples of localities that have already installed NOAA weather radios in their schools, government buildings and even homes. The presence of even one NOAA weather radio in a public building has the potential to save hundreds of lives.

The Commission inquires about the role of the relevant federal government agencies, as well as the possibility of creating alternative public warning systems. The Executive Branch and Congress have made a significant commitment to use the NOAA Network for all hazards purposes. The federal government has provided new funding for improved connectivity at both the federal and state levels with the NOAA system, as well as for the provision of NOAA weather radios to schools throughout the country. RadioShack strongly believes that with improved connectivity and increased publicity on the part of the government, the existing NOAA and EAS systems will provide the American public with the necessary warning capabilities. Indeed, it would be unwise to expend funds or time on the consideration of new or alternative warning systems without first promoting the use of the effective systems already in place today.

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Introduction

RadioShack Corporation (RadioShack), by its attorneys, hereby submits comments in response to the FCC's Notice of Proposed Rulemaking (NPRM) addressing the current state of the Emergency Alert System (EAS). RadioShack is a consumer electronics manufacturer and nationwide retailer with significant experience providing products with alert capabilities to the public. RadioShack has worked closely with the federal government and with other private sector entities in an effort to ensure that appropriate capabilities are available to alert the public.

The NPRM's purpose is to examine "whether EAS in its present form is the most effective mechanism for warning the American public of an emergency and, if not, how EAS can be improved."[1] Specifically, the Commission seeks comments on how to correct inconsistencies in EAS' capabilities caused by 1) the voluntary nature of broadcast dissemination, 2) the "permissive nature" of EAS at the state and local levels and 3) the use of analog technology.[2]

[1] NPRM at ¶ 1.

[2] *Id.* at ¶¶ 3-4, 25-26, 28-30.

The Commission also seeks information regarding alternate public alert and warning mechanisms.[3]

The Commission notes the role of the Department of Homeland Security, the Federal Emergency Management Agency (FEMA), and the National Oceanic and Atmospheric Administration (NOAA) in implementing and administering public warnings.[4] Although the Commission references NOAA's All-Hazards Network (NOAA Network), there is little detail provided in the NPRM about its operation and its relationship with EAS. RadioShack files these comments to provide an overview of the national public warning capabilities currently available. As these comments demonstrate, the EAS system is one component of an existing, information/instruction rich and timely national and local alert system maintained and operated primarily by NOAA, but also available to state and local emergency managers and DHS. The system issues all-hazards alerts that can be received by a variety of consumer electronics products and that are available for dissemination via EAS.[5]

Very few resources and little effort are required to provide the public with the assurance that a public warning system is available today. First, NOAA, DHS and state/local emergency managers must ensure that federal, state and local governments can effectively and efficiently access EAS and the NOAA Network in the event of an emergency. Second, awareness of

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[3] *Id.* at ¶¶ 31-35.

[4] *Id.* at ¶¶ 5, 13-14.

[5] While these Comments focus primarily on the NOAA Weather Radio System, NOAA's Network includes a family of dissemination services including the Emergency Managers Weather Information Network (EMWIN), the NOAA Weather Wire System (NWWS), Family of Services (FOS), NOAAPORT, and NEXRAD Information Dissemination Service (NIDS). http://iwin.nws.noaa.gov/emwin/index.htm.

NOAA alerts should be increased by implementing a national campaign to educate the public about the NOAA Network and EAS warnings. The Commission should continue to ensure that the appropriate codes and protocols are in place for the dissemination of warnings over EAS and should continue to regulate broadcasters in disseminating EAS alerts. The most significant federal roles belong with DHS' Office of Information Analysis and Infrastructure Protection (IAIP) in obtaining national terrorist threat information and with NOAA in disseminating both weather and non-weather alerts to the public through EAS and through a range of consumer electronics products including NOAA All-Hazard Weather Radios.

Thus, a comprehensive public warning system already exists in the United States. The Commission, with DHS and NOAA, should focus first on how to best utilize the extensive system that is in place and working today. As the Comments indicate, DHS, NOAA and Congress have already initiated efforts in this regard. Only after current capabilities are fully employed to protect the American public, should the government begin considering newer technologies that might be used to augment the system.

I. Statement of Interest

RadioShack is a consumer electronics manufacturer and a national retailer of a broad range of consumer electronics products that include cell phones, pagers, radios, televisions and weather radios. With over 7,000 stores nationwide, 94 percent of Americans live or work within five minutes of a RadioShack store. As a retailer and manufacturer of weather radios for many years, the company has a detailed understanding of the NOAA Network's current role in warning the public and saving lives.

After September 11, 2001, RadioShack examined the nation's warning capabilities and recognized the importance of the NOAA Network. RadioShack began work with other private sector companies and federal agencies to support the NOAA system's use for all hazard warning purposes. RadioShack firmly believes that the NOAA Network and EAS provide a strong foundation for public warning today. In addition, these systems not only provide a foundation today, but also represent the foundation for future advanced warning technologies and the consumer electronics that will incorporate them.

II. The Current Public Warning Capabilities of EAS and the NOAA Network are Extensive

A. Technological Capabilities of the NOAA All-Hazards Network and How EAS and the NOAA System Work Together

The Commission seeks to examine whether the EAS in its present form is the most effective mechanism for warning the American public of an emergency and if not, on how EAS can be improved.[6] RadioShack urges the Commission to consider EAS in conjunction with the NOAA Network as two interconnected systems that together represent the basic mechanism available today for warning the American public. Together these systems represent an expansive direct government-to-the-public warning system available for the dissemination of warnings at the federal, state and local levels. With improvements in government coordination and public education, these systems can provide the vast majority of the United States population with an effective and immediately available mechanism for warning.

[6] *Id.* at 1.

As the NPRM indicates, the National Weather Service (NWS) originates approximately 80 percent of all EAS alerts that are transmitted.[7] It is therefore essential to understand how the two systems interoperate in order to understand the breadth of the entire system. Alerts originated and disseminated by NWS/NOAA or emergency managers through the NOAA Network are transmitted directly to consumer electronics products that incorporate NOAA Weather Radio reception capability.[8] They are also received and disseminated by broadcast stations choosing to air them through the EAS.

Beginning in the late 1950's, the U.S. Weather Bureau, now the NWS, developed a radio broadcast system to provide weather information directly to the public.[9] The network consists of four elements: a voice messaging system, communications link, transmitter, and receiver/monitor.[10] Since the 1970s, NOAA and the NWS have adapted their system to include the capability for "all hazards" alerts.[11] Thus, the system is capable of sending not only weather alerts but warnings of other kinds including Amber alerts, hazardous spills warnings, nuclear accident warnings, and terrorist alerts. The NOAA Network has been recognized and endorsed

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[7] *Id.* at 14. Monitoring of the EAS system indicates that closer to 97 percent of the alerts may originate from NOAA.

[8] *See infra* at Section II.B.

[9] National Weather Service, NOAA Weather Radio Transmitters, NWR Specific Area Message Encoding Manual, at 5, Updated July 13, 1999 (SAME Manual).

[10] *Id.*

[11] National Policy for the Use of Telecommunications to Warn the General Public, Office of Telecommunication Policy, Executive Office of the President, January 13, 1975. National Weather Service, *Operations Manual*, NOAA Weather Radio Program, Ch. C-64, WSOM Issuance 98-09, December 21, 1998; *See* SAME Manual.

in two government-issued reports during the late 1990s as an essential method by which to reduce the risk of destruction to life and property.[12]

The NWS currently manages the NOAA All-Hazards Network throughout the country. The network employs over 900 transmitters covering ninety-seven percent (97%) of the United States population.[13] These transmitters are connected to consoles using dedicated telephone lines, microwave, or UHF links.[14] The system broadcasts on seven channels in the federal government's VHF band between 162.400 and 162.550 MHz.[15] This network is unique in its ability to provide federal, state and local warnings directly to the public on government dedicated spectrum through a variety of consumer electronics products.

The NOAA Network is capable of operating on a national level or in a very precise and direct regional or sub-regional manner to provide hazard alerts directed to the specific localities where the threat exists.[16] This local messaging capability conforms well to the Federal and state governments' needs to assign threat conditions for the entire nation, or for particular geographic areas, or hazardous industrial sites. "SAME" technology used by NOAA and the EAS is capable

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[12] "Saving Lives With an All-Hazard Warning Network," U.S. Department of Agriculture, Federal Emergency Management Agency, U.S. Department of Commerce, April 2000 (*Saving Lives*); "Effective Disaster Warnings," Report by the Working Group on Natural Disaster Information Systems, Subcommittee on Natural Disaster Reduction, National Science and Technology Council, Committee on Environment and Natural Resources (*Effective Disaster Warnings*).

[13] http://www.noaa.gov.

[14] SAME Manual at 5.

[15] *Id.*

[16] *Operations Manual* at Sec. 6.5, 16-18, Appendix E, outlining the procedures for activating non-weather warnings at the national, regional and local levels.

of disseminating specific alerts within less than one minute in many cases to a target population within an area as small as one-ninth of a county, using the Federal Information Processing Standard (FIPS) codes.[17] A growing application of the SAME technology includes the use of the NOAA Network by many states and localities with nuclear or other sites involving hazardous materials, as their primary alert system to be used in case of an accident.[18]

The Commission inquires about the use of a common alert protocol.[19] The NOAA Network works in parallel with and feeds warning information to the EAS. The NOAA Network and EAS already employ the same protocol in their shared use of 49 SAME technology codes.[20] The codes are each three letters designating the type of emergency and can be used at the federal, state and local levels. The number of event types that NWS SAME can recognize is almost unlimited, but the FCC has purposefully limited the potential number of codes to 80 on the EAS system for technical reasons.[21] In addition to sharing messaging technology, DHS and NOAA are currently implementing a common alert protocol (CAP) to facilitate state and local access. This CAP will be consistent with the SAME technology and will increase the utility and ease of use of the NOAA Network by emergency managers at all levels of government.

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[17] SAME Manual at 7; *Effective Disaster Warnings* at 26.

[18] *Id.*

[19] NPRM at ¶¶ 31-35.

[20] Amendment of Part 11 of the Federal Communications Commission's Rules Regarding the Emergency Alert System, EB Docket No. 01-66, Report and Order, Released February 26, 2002, at ¶6. SAME Manual at 6. The Commission added several additional non-weather special event codes at the request of the NWS in 2002. Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System, EB Docket No. 01-66, Report and Order, Released February 26, 2002, at Appendix B, 41. *See also* http://weather.gov/os/eas_codes.htm.

[21] SAME Manual at 7.

B. Current Consumer Electronics Products Receiving EAS and NOAA Network Alerts

While EAS alerts are transmitted to the public through broadcast television and radio and cable television, NOAA all-hazard alerts are received on a variety of products, including NOAA all-hazard weather radios, millions of which have already been deployed in homes and businesses throughout the U.S.[22] In addition to reception through dedicated all-hazard weather radios, NOAA alerts can also be received on many other consumer electronics products, including televisions, pagers, cellular telephones, CB radios, automotive radios, AM/FM clock radios, FRS walkie-talkies and the Internet. This is accomplished either through imbedded receiver technology or through rebroadcast services offered by a variety of service providers. Downstream service providers distribute NOAA/NWS warnings or all-hazard alerts relayed by NOAA/NWS via satellite, using NWWS or EMWIN, or via Internet or direct circuit connection. These service providers use a combination of NWS product identifiers, titles and FIPS codes to automatically identify relevant information and deliver it to their subscribers.

As noted by the Commission, many weather radio receivers and other products are active alert systems that automatically turn on to provide warnings when they receive an appropriate signal from the NOAA transmitting site. This means that, unlike the warnings received via broadcast television and radio, a person does not need to be listening, watching, or even awake in order to receive the warning. Such receivers can sit silently until the NOAA signal activates them to issue an alert. In addition, the Consumer Electronics Association recently created a

[22] *Saving Lives*, Section 1, at 3 (citing that 8 million "All-Hazards/Weather Emergency Alert Monitors" have been sold). It is important to note that this statistic is extremely outdated and the number of products receiving NOAA signals in the market today is likely to be higher.

certification and standard-setting program, under the name Public Alert, to improve and ensure the quality of products that receive signals from the NOAA Network. Products certified to this standard are already available on the market. It is RadioShack's belief that this standard will be of great value to the public and the government alike in assuring the quality of the products intended to receive the warnings from the NOAA Network.

Public Alert products and many other all-hazard weather radios are also available in the marketplace to provide warnings in Spanish, as well as to those with disabilities. They include lights that flash, bed shakers for the deaf, and voice activation warnings for the blind. Public Alert and other all-hazard weather radio products are sold in many retail stores, including Target, Wal-Mart, Price Chopper, consumer electronics stores, and online. They retail for $30-$100, depending on the model.

RadioShack strongly supports redundancy created through the transmission of NOAA alerts to a variety of consumer electronics products. The Commission inquires whether EAS alerts should be retransmitted through service providers or new technologies to improve penetration.[23] It is important to note that these may be redundant retransmissions since NOAA originates the overwhelming majority of alerts transmitted and service providers can already directly access the NOAA signal as their feed. In addition, reliance on the retransmission of EAS broadcasts would be incomplete unless the broadcasters streamed all EAS alerts unfiltered and unedited. In the same regard, RadioShack believes consideration of alternative public alert and warning systems -- to the extent such consideration might delay or defer the full and immediate use of the systems that are in place now -- is unnecessary and could jeopardize public

[23] NPRM at ¶ 31.

safety if a terrorist event or natural disaster occurred while this new system is being studied.[24] As noted in more detail below, the emphasis now should be on improved government coordination and increased public awareness of the systems that are already in place.[25]

C. Current Penetration of the EAS and the NOAA Network

The Commission is concerned because EAS alerts are received only while watching or listening to a broadcast.[26] While this is true of EAS alerts, it is not true of NOAA alerts which can be received by devices that function like a smoke detector by turning on upon receipt of a warning from the NOAA Network. Thus, it is essential that the Commission consider the penetration and functionality of both EAS and the NOAA Network. While it is difficult to assess the precise number of products in the marketplace that receive these alerts, it is important to emphasize two points. The first is the breadth of products, outlined above, over which EAS and NOAA alerts can be received. The second is the multiplier effect that one product, strategically placed, can have in saving not just one life, but many lives. There are many examples of state and local governments, schools and hospitals currently relying on the use of NOAA weather radios and the NOAA Network. Just a few of the many examples are set forth below:

- In March 2002, the Office of Emergency Management in Austin, TX and the Austin Independent School District provided all Austin schools with a weather radio. Radios in each of the 100 facilities in the school district provide warnings to approximately 90,000 students and staff.

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[24] *Id.* at ¶ 32.

[25] *See infra* at Section IV.

[26] NPRM at ¶ 31.

- Almost every school and day care center in El Paso, TX has a weather radio. There are approximately 63,000 students enrolled in El Paso schools.

- The State of Maryland has installed weather radios in every public and private school in the state. There are approximately 860,640 students enrolled in Maryland public schools, according to 2001-2002 school statistics.

- As a critical part of his plan to protect against terrorism after 9-11, South Dakota's then-Governor Janklow purchased 10,000 weather radios for distribution to public officials, schools, nursing homes, day care centers and other institutions in the state.

- Localities like Kansas City, KS, Oklahoma City, OK and Monroe County, NY have ongoing projects to install 100,000 weather radios in homes, businesses and public buildings.

- With funds from FEMA's Project Impact, Johnson County, KS purchased 1,000 weather radios, which are located in all public buildings, including all of the county's public and private schools, and all daycare and adult care centers.

- Denver, CO's public school system purchased 150 weather radios for its schools.

- Through an initiative by the Illinois Emergency Management Agency, Illinois Insurance Association and the National Weather Service, 7,925 weather radios have been distributed to mobile home developments in 40 Illinois communities. Northern Illinois University has 150 weather radios throughout its campuses.

- Through efforts by Florida Power and Light, the Institute for Business and Home Safety, and the Insurance Institute for Property Loss Reduction, all Dade County, FL schools, hospitals, and nursing facilities have a weather radio. Throughout Florida, the Division of Emergency Management's Florida Warning and Information Network estimates that there are at least 13,500 weather radios in the state's schools, nursing homes and day care centers.

There are many examples of the multiplier effect in action. A well-known example occurred in November 2002 in a Van Wert, Ohio movie theatre equipped with a weather radio. Because of NOAA's alert and the manager's quick action, 50 moviegoers were evacuated minutes before a tornado destroyed the theater. A similar experience occurred in Beebe, Arkansas in 1999 when a school superintendent's weather radio alert prompted him to evacuate 300 people from a school that was later destroyed by a tornado.

There is significant evidence that EAS and the NOAA Network are effective at saving lives. They have the current ability to reach Americans in over 97 percent of the country. With very little additional cost, all hazard alerts disseminated to the public by NOAA through the NOAA Network and EAS have the potential to reach even more Americans.

III. The Federal Government has Made Substantial Commitments to the NOAA Network

Even before September 11, 2001, the federal government had concluded that the NOAA Network should be expanded to ensure both 100% transmission coverage of the country and greater penetration to the public.[27] As the Commission also notes in the NPRM, the NOAA Network has already been identified by both NOAA and DHS as a dissemination system for all-hazards warnings including terrorist alerts.[28] Over the fiscal years since September 11, 2001, both the Administration and Congress have noted confidence in the NOAA Network and have committed funding to the expansion of the Network for all hazards, through both improved connectivity and by increased penetration.

A. The Federal Agencies' Roles in Improving Connectivity between EAS, the NOAA Network and Relevant Federal Agencies

The Commission inquires in the NPRM whether there should be improved connectivity in accessing EAS.[29] RadioShack supports improved connectivity between EAS, the NOAA Network and the responsible Federal agencies. In order to accomplish this, coordination is

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[27] *Saving Lives*, sections on Technology for the Future and Partnerships, at 6 and 16; *Effective Disaster Warnings* at 36.

[28] NPRM at fn. 25. *See also* Department of Commerce, NOAA, NWS Pamphlet, "NOAA Weather Radio...the Voice of the National Weather Service," at 2.

[29] NPRM at ¶¶ 22-26.

necessary between the relevant agencies – NOAA, DHS (IAIP and FEMA), and the Commission. As noted in the NPRM and in section II.A. above, EAS and the NOAA Network share significant connectivity already – they rely on the same protocol and most of the alerts broadcast by EAS are originated by NOAA. To ensure the ability to disseminate terrorist or other homeland security alerts originating with the federal government, Congress provided DHS $10 million in FY 2004 to utilize the NOAA Network for all-hazard purposes and DHS has recently signed a Memorandum of Understanding with NOAA to provide DHS direct access to the NOAA Network to disseminate alerts nationally or within specific geographic areas if necessary.[30] NOAA and DHS are already beginning to coordinate at the appropriate levels to improve connectivity for all hazards alerts.

The Commission seeks information on a number of questions relating to the respective roles of federal government departments and agencies in the implementation of EAS.[31] RadioShack believes that the responsibilities should remain as they are currently structured for public warning purposes, with improved coordination and connectivity. The IAIP in DHS clearly has been given the key role in the collection of information that would lead to the dissemination of a terrorist alert. To that end, IAIP has arranged through the MOU to disseminate alerts over the NOAA Network that could be national or local in nature.[32] NOAA

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[30] Memorandum of Agreement between the Department of Commerce, National Oceanic and Atmospheric Administration and the Department of Homeland Security, Directorate of Information of Analysis and Infrastructure Protection for the Purpose of Disseminating Emergency Messages on NOAA All-Hazards Radio, signed June 17, 2004.

[31] NPRM at ¶ 23.

[32] In the event that such an alert is considered to be Presidential in nature, FEMA would disseminate an alert directly over EAS as well, using the EAN code, which is the only mandatory alert that broadcasters must carry. No such alert has ever been sent.

has the role of operating the NOAA Network and originating its weather alerts through the system. The Commission maintains the codes used for dissemination over EAS and monitors broadcasters' compliance with EAS rules and policies. There is no clear need to alter these roles.

The Commission asks whether a public/private partnership should be created to ensure effective delivery of warnings.[33] RadioShack believes that such a partnership is unnecessary. One of the substantial benefits of the NOAA Network is that it is an existing and available direct government-to-the public all hazards warning system. The broadcasters receiving these alerts are already in a position to, and, do broadcast the warnings through EAS. The Commission asks whether such a partnership should explore the effective and efficient delivery of emergency information to the public.[34] As outlined in detail above, both the NOAA and EAS systems have been in existence for decades, their effectiveness has been tested and their refinement advocated in a number of government-sponsored reports.[35] Given the demonstrated success of these systems, it is unclear why further study on how to reach the public is necessary or in the public interest and there is a danger that it could delay the full use of the national warning systems that are in place today.

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[33] *Id.*

[34] *Id.*

[35] "Effective Disaster Warnings," Report by the Working Group on Natural Disaster Information Systems, Subcommittee on Natural Disaster Reduction, National Science and Technology Council, Committee on Environment and Natural Resources, Chaired by Peter Ward, November 2000; see also "Saving Lives With an All-Hazard Warning Network," U.S. Department of Agriculture, Federal Emergency Management Agency, U.S. Department of Commerce, April 2000.

B. State Connectivity to the Federally-Operated Systems

The Commission notes the inconsistency in state and local connectivity to the EAS system and seeks information on how to improve access.[36] RadioShack is encouraged by the interest that both Congress and NOAA have shown in improving the speed and uniformity of access to the NOAA Network. To improve access between state and local EMs and the NOAA Network, Congress provided NOAA with $5.5 million in FY 2004 for upgrades to the system. NOAA is using these funds to implement a new "HazCollect" system. This technology will simplify the process by which EMs create and disseminate alerts via the NOAA Network. It is RadioShack's understanding that under HazCollect, an EM may compose an alert that will be securely transmitted, with authentication, to the appropriate NWS office. Like DHS, emergency managers will be able to designate, through one entry point, whether the alert is local or regional in nature. This new capability will improve connectivity and substantially reduce the time currently required for the NWS offices to receive and disseminate alerts. These alerts will be broadcast over both the NOAA Network and will be available for distribution by the EAS. Thus, as direct access to the NOAA system by state and local governments is improved, EAS access is equally improved.

C. RadioShack Supports Current Efforts by Congress, NOAA and DHS to Improve Public Awareness and the Penetration of the NOAA Network

The Commission notes concern over the penetration of EAS.[37] As already noted, the penetration of the nation's current public alert and warning system must be assessed by

[36] NPRM at ¶¶ 24-26.

[37] NPRM at ¶ 31.

examining the effective penetration of the EAS and the NOAA Network.[38] As outlined in Section II. B. above, alerts disseminated by NOAA are currently received not only by television and radio broadcasts, but by NOAA all-hazard weather radios, cell phones, pagers, CBs and over the Internet. The multiplier effect of such alerts -- whereby a single NOAA weather radio serves hundreds or even thousands of people -- has also been outlined above.[39]

In the FY 2005 DHS appropriations bill, Congress provided $10 million to improve public awareness and the penetration of the NOAA Network through "the distribution of NOAA radios to schools throughout the country on a priority basis..."[40] In the DHS Conference Report, the Conferees stated their support for DHS' use of the NOAA "all-hazards weather radio system as the foundation for the Homeland Security Advisory System."[41]

The simple step of installing an all-hazards weather radio in every school will increase the penetration of the system exponentially. It will have the additional effect of increasing the public's awareness of the system. RadioShack encourages the Commission to work with all federal agencies involved in public warning to initiate additional public education efforts that explain the connection between EAS and NOAA and how these systems provide direct government alerts to the public. It is particularly important for the public to understand that these alerts are available from a multitude of sources – including EAS broadcast on radio and

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[38] This is particularly important since 80 percent of EAS' alerts are received from NOAA.

[39] *Supra* at Section II. C.

[40] Pub. Law No. 108-334, Conf. Rept. 108-774 at 78.

[41] *Id.*

television, all-hazards weather radios, Public Alert products (including televisions), CBs, cell phones, pagers and via the Internet.

IV. An Alternative Public Alert and Warning System is Not Necessary and New Technologies Should be Considered after the Current Systems are Fully Employed

The Commission inquires whether the government should consider the formation of a "comprehensive national public warning system capable of reaching virtually everyone all the time."[42] The primary purpose of RadioShack's Comments in this proceeding is to demonstrate that such a comprehensive system already exists. The Commission, with DHS and NOAA, should focus first on how to best utilize the extensive system already in place and working today. This can be achieved at little cost and in a short time by improving connectivity and access between federal and state emergency management agencies, and by improving penetration and public awareness of the systems in place. Only after these steps are taken, should the government begin considering whether there are ways in which to augment the system. If there are new technologies that improve the dissemination of alerts, certainly they should be studied and ultimately implemented, but only after the current capabilities are fully employed to protect the American public now. Failure to fully implement the EAS and NOAA system at the earliest possible time could cost many lives in the event of a disaster.

The Commission mentions public warning alternatives that include landline-based, cellular-based and Internet-based notification systems to paid subscribers. While these systems can provide redundancy and customized services for some users, they are not a substitute for the NOAA and EAS systems that are in place today. The current NOAA Network, and the EAS

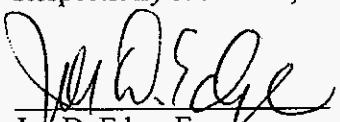
[42] NPRM at ¶ 32.

system that relies on it, are already tested, operate on dedicated spectrum and do not require the payment of ongoing subscriber fees. While NOAA alerts can also be received through subscriber services, they are available to the public for free over radio and television through EAS or through a variety of low cost consumer electronics products. Although some may need the customized services that could be offered on a subscription basis, most people should remain able, as they are today, to receive alerts broadcast from NOAA/EAS at little or no cost.

Conclusion

For the reasons set forth above, RadioShack respectfully suggests that the Commission work jointly with DHS, NOAA and state/local officials to ensure effective connectivity and promotion of the EAS and NOAA Network. It is in the public's interest to immediately use and promote the extensive public warning systems already in place today to ensure the public's safety in the event of emergency.

Respectfully submitted,



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